

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for New Jersey Board of Social Work Examiners
and the Alcohol and Drug Counselor Committee of the
Board of Marriage and Family Therapy Examiners

FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS

August 8, 2012
J. Michael Harker

By: Jodi C. Krugman
Deputy Attorney General
Tel: (973) 648-2436

Alexis Goldberger
Deputy Attorney General
Tel: (973) 648-3808

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF SOCIAL WORK EXAMINERS
AND ALCOHOL AND DRUG COUNSELOR
COMMITTEE OF THE STATE BOARD OF
MARRIAGE AND FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE SUSPENSION OR
REVOCATION OF THE LICENSES OF

JAMES R. MASI, LCSW, LCADC
LCSW License No.: 44SC04649900
LCADC License No.: 37LC00140200

TO PRACTICE CLINICAL SOCIAL WORK
AND ALCOHOL AND DRUG COUNSELING
IN THE STATE OF NEW JERSEY

Administrative Action

**CONSENT ORDER OF
VOLUNTARY SURRENDER**

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") and the Alcohol and Drug Counselor Committee of the Board of Marriage and Family Therapy Examiners (the "Committee") upon receipt of information that respondent James R. Masi

("Respondent") was discharged from his position at CPC Behavioral Health ("CPC"), where he was employed as a counselor in the Addiction Recovery Service. Specifically, CPC advised the Board that client S.S. reported to her psychiatrist that respondent was her "boyfriend" and alleged that they were engaged in a personal relationship for approximately 18 months while respondent was her counselor. CPC advised that it conducted a thorough internal investigation and terminated respondent's employment. More recently, CPC advised that a second client, M.D., informed her therapist that she had sexual relations with respondent while respondent was her therapist. In addition, CPC advised that M.D. told her therapist that respondent provided her with alcohol. M.D. was a client of the Addiction Recovery Service at CPC, and like other clients of that program, struggles with substance abuse issues and maintaining sobriety.

The Board requested that respondent appear at its meeting on April 25, 2012, and testify regarding the allegations of the complaints. Respondent declined to appear. The Board and the Committee deem this as a failure to cooperate with the investigation into this matter. All of the above allegations cause the Board and Committee serious concern about respondent's judgment and fitness to practice as either a social worker or a alcohol and drug counselor. The Board and Committee find that respondent engaged in sexual misconduct in violation of N.J.A.C. 13:44G-10.7 and N.J.A.C. 13:34C-3.3, and professional misconduct, in violation of N.J.S.A. 45:1-21 (e) and (h), thereby providing grounds for discipline of respondent's licenses.

The parties desiring to resolve this matter without recourse to formal proceedings, respondent not admitting to the conduct found by the Board and the Committee, and the Board and the Committee finding that entry of this Order adequately protects the public health, safety, and welfare, and for good cause shown:

ACCORDINGLY, IT IS on this 8th day of August, 2012,

ORDERED and AGREED that:

1. Respondent shall immediately and permanently surrender his licenses to practice clinical social work and clinical alcohol and drug counseling in the State of New Jersey, with prejudice, to be deemed a revocation of those licenses. Respondent understands and agrees that he will be precluded from seeking reinstatement of either of his licenses in this State at any time.
2. Respondent shall cease and desist from advertising, offering to engage in or engaging in the practice of clinical social work, social work, alcohol and drug counseling, mental health therapy and/or counseling, or the provision of social work services in any setting, including exempt settings as defined by N.J.S.A. 45:2D-9 and 45:15BB-5. Respondent also agrees not to engage in practice as nor apply for licensure as a mental health professional in any other state or jurisdiction.
3. Respondent shall surrender his wall certificates, wallet certificates, and his most recent renewal cards of his licenses to practice as a social worker and as an alcohol and drug counselor by mailing them to J. Michael Walker, Executive Director, Board of Social Work Examiners, P. O. Box 45033, Newark, New Jersey 07101, contemporaneously with his signing of this Order.
4. Any practice in this State in violation of the above conditions shall constitute unlicensed practice and/or grounds for discipline for violation of an Order of the Board and the Committee as well as professional misconduct.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By: Doreen J. Bobby
Doreen J. Bobby, MSW, LCSW
Board President

ALCOHOL AND DRUG COUNSELOR COMMITTEE
OF THE NEW JERSEY BOARD OF MARRIAGE AND
FAMILY THERAPY EXAMINERS

By: Edward Reading LCADC
Edward Reading, LCADC
Committee Chair

I have read and understand the
within Consent Order and agree
to be bound by its terms. Consent
is hereby given to the Board and Committee
to enter this Order.

James R. Masi
James R. Masi, LCSW, LCADC

6/26/12
Date

Consent is given as to form and entry of this Order

Kathleen M. Gialanella
Kathleen M. Gialanella, Esq.
Attorney for James R. Masi, LCSW, LCADC

6/27/12
Date